

CONTROL COUNCILLAW NO. 44

Repeal of the Ordinance of 11 October 1944 Concerning  
"Extraordinary Measures on Leases, Agriculture Management,  
and Debtor Relief Caused by Total War"

THE CONTROL COUNCIL ENACTS AS FOLLOWS:

Article I

The Ordinance concerning Extraordinary Measures on Leases, Agricultural Management, and Debtor Relief caused by Total War (Verordnung ueber ausserordentliche Massnahmen in Pacht-, landbewirtschaftungs- und Entschuldungsrecht aus Anlass des totalen Krieges) of 11 October 1944 (RCBI. I p.245) is repealed.

Article II

This law shall take effect on 15 March 1947.

Done at Berlin on 10 January 1947

Sir Sholto DOUGLAS,  
Marshal of the Royal Air Force

P. KOELLIG,  
General d'Armee

V. SOKOLOVSKY,  
Marshal of the Soviet Union

Joseph T. McHARNEY  
General

"The date of publication is 14 January 1947 at 1800 hours".

COM/P(47)1(Final)  
10 January 1947

COORDINATING COMMITTEE

Return of Mothers and Children Evacuated from Berlin to Countries  
Outside Germany

(Note by the Allied Secretariat)

1. At its Meeting on 13 December 1946 the Allied Kommandatura discussed a paper on the above subject and agreed:

a) To request the Allied Control Authority to permit the return to the City of Berlin of all German children and mothers from Berlin evacuated during war time to countries outside Germany;

b) To request that, should such action be approved, the Allied Control Authority discuss with representatives of countries concerned the technical arrangements to be made;

c) To suggest that the following order of priority be observed on the return of the mothers and children:

(i) Unaccompanied children whose parents or legal guardians reside in Berlin. En view of the most unsatisfactory conditions existing among the unaccompanied children evacuated to Denmark, first priority should be given for the return of that group,

(ii) School children with their mothers.

(iii) Infants with their mothers.

d) To recommend that the plan as worked out be referred back to the Allied Kommandatura for implementation.

2. Attached Appendix "A" to the cover note is a list by countries of the numbers of mothers and children to be returned to Berlin.

3. This paper is submitted for the consideration of the Coordinating Committee at its 98th Meeting on 13 January 1947.

K. G. EXHAM, Brigadier  
J. L. BAUDIER, Consul General  
N. D. KOSTENKO, Lieutenant Colonel  
H. A. GERHARDT, Colonel

Allied Secretariat

Approved at Berlin, 13 January 1947

CORC/P(47)12

9 January 1947

12

APPENDIX "A" to  
CORC/P(47)12

COORDINATING COMMITTEE

List of Mothers and Children in Foreign Countries  
to be Returned to Berlin

<u>Present Location</u>	<u>No. of Children</u>	<u>No. of Mothers</u>	<u>Total</u>
Poland	1568	525	2093
Denmark	1109	222	1331
Czechoslovakia	964	220	1184
Austria	167	59	226
Sweden	6	4	10
Switzerland	5	2	7
Holland	3	2	5
Luxemburg	3	1	4
Roumania	3	2	5
Italy	3	1	4
Norway	3	2	5
South Africa	2	1	3
	<u>3836</u>	<u>1041</u>	<u>4877</u>

COORDINATING COMMITTEE

Restoration of International Telephone and Telegraph Services between  
Germany and other Countries

(Note by the Allied Secretariat)

1. At its 50th Meeting on 10 December 1946 the Directorate of Internal Affairs and Communications, after consultation with the Finance Directorate, considered the opening of international telephone and telegraph services terminating in Germany. The Directorate agreed to request the Coordinating Committee to authorize the following :-

- (a) The immediate approval, in principle, of the opening of International Telephone and Telegraph Services terminating in Germany;
- (b) In the absence of any Special Agreements, the rates (reckoned in gold francs) in force for international telephone and telegraph services, shall be based on agreements that were in existence on 1 September 1939 (1 March 1938 for Austria and Czechoslovakia);
- (c) Foreign Administrations will be requested to retain their statements of accounts pending further notifications as to the terms of settlement by the Allied Control Authority;
- (d) Regulations governing the rendering of these services will be prepared by the I.A. & C. Directorate in coordination with the Finance Directorate;
- (e) The I.A. & C. Directorate will designate a date for the opening of the service when such is determined,

2. This paper is circulated for consideration by the Coordinating Committee at its 99th Meeting on 16 January 1947.\*)

K.G. EXHAM, Brigadier

J.L. BAUDIER, Consul General

N.D. KOSTENKO, Lieutenant Colonel

R.W. VAN WAGENEN

Allied Secretariat

17 January 1947

CORC/M(47)3

COORDINATING COMMITTEE

MINUTES

of the

Ninety-Ninth Meeting

held in Berlin on 16 January 1947

The Meeting considered CORC/P(47)15.

THE MEETING:

- (35) (a) approved in principle the opening of international telephone and telegraph services for the German population;
- (b) instructed the Internal Affairs and Communication Directorate to fix a date for the opening of the services and to take such other action as might be necessary to implement the Coordinating Committee's decision.

CONTROL COUNCILDraft Reply to the Military Missions in Berlin

(Note by the Allied Secretariat)

1. The Coordinating Committee at their 99th Meeting on 16 January 1947 considered a letter addressed to the Chairman of the Allied Control Council on behalf of the Military Missions in Berlin requesting:

- (a) That the Military Missions be furnished with copies of the Agenda prepared for meetings of the Control Council and Coordinating Committee.
- (b) That the Allied Secretariat be authorized to hold weekly conferences to be attended by Heads of Missions or their representatives.

A copy of this letter, which was submitted by Lieutenant General Pope, Doyen of the Military Missions, is attached at Appendix "A".

2. The Coordinating Committee were unable to agree to the proposals contained in Lieutenant General Pope's letter and instructed the Allied Secretariat to prepare a draft reply for submission to the Control Council. The proposed draft is attached at Appendix "B".

3. This paper, together with Appendices "A" and "B", is submitted for consideration of the Control Council at its Fifty-Second Meeting on 20 January 1947.

K.G. EXHAM, Brigadier

J.L. BAUDIER, Consul General

N.D. KOSTENKO, Lieutenant Colonel

H.A. GERHARDT, Colonel

Allied Secretariat

CONL/P(47)3



17 January 1947APPENDIX "A" to  
CONL/P(47)3CONTROL COUNCILCOPYCANADIAN MILITARY MISSIONBERLIN, 6th January 1947

The Chairman,  
Allied Control Council,  
B E R L I N

Sir,

I beg to inform you that the Heads of Military Missions accredited to the Allied Control Council in Berlin, have lately reviewed the situation in connection with the availability of information relating to decisions reached by the Control Council and the Coordinating Committee, and they have come to the conclusion that the situation in this respect leaves something to be desired.

As you are aware, no specific procedure appears to have been worked out whereby the Military Missions in Berlin may obtain prompt and reasonably full information regarding the proceedings of the two above-mentioned organs of Control in this country. This lacuna, I am sure you will agree, seriously militates against their ability effectively to discharge the functions required of them by their respective Governments.

In these circumstances I have been asked by my Colleagues, in our collective behalf, to request the Allied Control Authority firstly, that the Military Missions in Berlin be furnished with copies of the Agenda prepared for meetings of both the Control Council and the Coordinating Committee and, secondly, that the Allied Secretariat be authorized to hold weekly conferences, to be attended by Heads of Missions or their representatives, at which information concerning the work done by these two bodies during the previous week might be afforded them.

I am, Sir, with the assurance of my highest consideration,

Yours faithfully

Sgd. MAURICE POPE

APPENDIX "B" to  
CONL/P(47)3

CONTROL COUNCIL

Sir,

The Allied Secretariat has the honour to inform you that the Control Council has considered your letter dated 6 January 1947.

The Control Council has carefully examined the proposals submitted by you on behalf of your colleagues that the Military Missions in Berlin be furnished with copies of the Agenda prepared for Meetings of the Control Council and Coordinating Committee and that the Allied Secretariat be authorized to hold a weekly Conference to be attended by Heads of Missions or their representatives.

The Allied Secretariat is instructed to inform you that the Control Council was unable to grant your request for an extension of the existing procedure and have decided that the method of transmission of information to the Military Missions in Berlin will continue to be governed by the regulations at present in force. These regulations include the transmission to the Military Missions, through the Head of the Liaison and Protocol Section of the Allied Secretariat, of all papers normally distributed to the Press and all documents adopted by the Control Council and Coordinating Committee which directly affect the Military Missions.

FOR THE ALLIED SECRETARIAT

Approved at Berlin, 20 January 1947



COORDINATING COMMITTEEPayment for Exports in Dollars

(Made by the Allied Secretariat)

1. The Coordinating Committee discussed the above subject; at its 41st Meeting on 4 March 1946 and

(138)(b) instructed the Finance Directorate to study the question of Dollar Payment for German Exports and to submit its proposals to the Coordinating Committee.

2. The Finance Directorate reached final agreement on this question at its 53rd Meeting and agreed to forward the paper attached at Appendix "A" to the Coordinating Committee.

3. This paper is submitted for the consideration of the Coordinating Committee at its 100th Meeting on 21 January 1947.

K. G. EXHAM, Brigadier

J. L. BAUDIER, Consul General

N. D. KOSTENKO, Lieutenant Colonel

H. A. GERHARDT, Colonel

Allied Secretariat

CORC/P(47)17

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WASHINGTON, D. C.

17 January 1947APPENDIX A to  
CORC/P(47)17COORDINATING COMMITTEEPayment for Exports in Dollars

Accounting arrangements have already been covered in the paper CORC/P(46)282. On the question of dollar payments for exports, the following recommendations are made:

1. Exports from Germany shall be valued in US dollars in order to give a measure of the amount of the payment that will be required for them.
2. Payments for exports from Germany may, at the discretion of the Zone Commander, be deferred for a period of not more than six months; however, this clause shall not apply to any exports from Germany the terms of payment of which are fixed by a quadripartite agreement.
3. Payment be made either
  - (i) in US dollars or other currency acceptable to the Allied Control Authority, or
  - (ii) in any other currency so long as the Zone Commander assumes the responsibility of converting the full value of exports from Germany from his Zone into US dollars or other currencies approved by the Allied Control Authority or into compensating approved imports into Germany;
  - (iii) by compensating imports into Germany which will be valued in U.S. dollars.
4. Subject to the above conditions, the manner in which exports from Germany are invoiced is left, to the discretion of the Zone Commander.

approve t Berlin 21 January 1947

COORDINATING COMMITTEEProposed Reply to Radiogram Received from the  
Director-General of UMRRA.

(Note by the Allied Secretariat)

1. By conclusion 697 of CORC/M(46)63 the Coordinating Committee referred a radiogram, received from the Director General of UMRRA, to the Directorate of Prisoners of War and Displaced Persons, for preparation of a draft reply. The text of this radiogram, which concerned German refugees now in Denmark, was attached as Appendix A to CORC/M(46)63.

2. At its 39th Meeting on the 17th January, the Directorate of Prisoners of War and Displaced Persons agreed to submit the following draft reply to the Coordinating Committee for approval:-

"The Allied Control Authority, Berlin, Germany, wishes to acknowledge receipt of your cablegram, dated 1 December 1946, concerning German refugees now in Denmark and informs you that it has been studied with due attention.

We are fully cognizant that those German refugees now in Denmark cause that Government to carry a heavy economic and social burden. During 1946, the Allied Control Authority has devoted considerable discussion to this subject but because of lack of housing facilities and difficulties in food rationing in Germany, it is not feasible to accept at present all of those refugees now in Denmark. The Allied Control Authority has offered some relief to the Government of Denmark by agreeing to accept into Germany, those refugees who were formerly domiciled in one of the four zones of occupation. The remaining part of the problem is under discussion at the present time.

3. This paper is circulated for consideration by the Coordinating Committee at its 101st Meeting on 27th January 1947.

R. G. RAWG. M. LOIRET, Lieutenant ColonelF. D. KOSTENKO, Lieutenant ColonelH. A. GERHARDT, Colonel

Approved at BERLIN 27 January 1947

Allied Secretariat  
CORC/P(47)22

CONTROL COUNCILLAW NO.45Repeal of legislation on Hereditary Farms and Enactment of other  
Provisions Regulating Agricultural Forest lands

THE CONTROL COUNCIL ENACTS AS FOLLOWS :

Article IRepeal of laws

1. The Hereditary Farm law (Reichserbhofgesetz) of 29 September 1933 (RGBl.I,685), the Ordinance on Hereditary Farm law (Erbbhofrechtsverordnung) of 21 December 1936 (RGBl.I,1069), the Ordinance on Procedural Hereditary Farm Law (Erbbhofverfahrensordnung) of 21 December 1936 (RGBl.I,1082), and the Ordinance Supplementing the Hereditary Farm Law (Verordnung zur Fortbildung des Erbbhofrechts)(Erbbhoffortbildungsverordnung E.H.F.V.) of 30 September 1943 (RGBl.I,349), are hereby repealed, together with all supplementary and explanatory laws, ordinances, and decrees.

2. The following laws and ordinances, together with all supplementary and explanatory laws, ordinances, and decrees, are hereby repealed:

- (a) Ordinance on Transactions concerning Agricultural lands (Bekanntmachung ueber den Verkehr mit landwirtschaftlichen Grundstuecken) of 15 March 1918 (RGBl.123)
- (b) Law for the Change of the Ordinance on Transactions concerning Agricultural lands (Gesetz zur Aenderung der Bekanntmachung ueber den Verkehr mit landwirtschaftlichen Grundstuecken) of 26 January 1937 (RGBl.I,32);
- (c) Ordinance on Carrying out the Ordinance on Transactions concerning Agricultural or Forest lands (Ausfuehrungsverordnung zur Bekanntmachung ueber den Verkehr mit landwirtschaftlichen oder forstwirtschaftlichen Grundstuecken) of 22 April 1937 (RGBl.I,534)

- (d) Decree of the Fuehrer on Restrictions of Transactions, during the War, concerning Agricultural lands (Erlass des Fuehrers ueber die Einschraenkung des Verkehrs mit landwirtschaftlichen Grundstuecken im Kriege) of 28 July 1942 (RGBl.I,481);
- (e) Ordinance on Restrictions of Transfer, during the War, of Title to Agricultural lands (Verordnung zur Einschraenkung des Eigentumswechsels an landwirtschaftlichen Grundstuecken im Kriege) of 17 March 1943 (RGBl.I,144);
- (f) Ordinance for Safeguarding of Agricultural Management (Verordnung zur Sicherung der landbewirtschaftung) of 23 March 1937 (RGBl.I,422);
- (g) Ordinance on Implementing the Ordinance for Safeguarding of Agricultural Management (Verordnung zur Durchfuehrung der Verordnung zur Sicherung der landbewirtschaftung) of 22 April 1937 (RGBl.I,535);
- (h) Second Ordinance for Safeguarding Agricultural Management (Zweite Verordnung zur Sicherung der landbewirtschaftung) of 28 February 1939 (RGBl.I,413);
- (i) Ordinance for Implementing and Supplementing the Ordinance for Safeguarding Agricultural Management (Verordnung zur Durchfuehrung der Verordnung zur Sicherung der landbewirtschaftung) of 20 January 1943 (RGBl.I,29).

## Article II

### Devolution upon Death

Subject to the provisions of Article III, the laws concerning the inheritance and devise of land, in force as of 1 January 1933, repealed or suspended by the Hereditary Farm law (Reichserbhofgesetz) or by any supplementary or explanatory law, ordinance, or decree thereunder, or by any legislative acts enacted on this subject in any of the laender, are declared to be again in full force and effect to the extent that they



do not conflict with the present law or other legislation of the Control Council,

### Article III

#### Tenure

1. All lands which pursuant to this law lose their character as "Erbhof" become ordinary real estate, subject to the general laws.

2. All other agricultural or forest lands which are held by a tenure of a special nature, including, but not limited, to Fideikomnisse and similar entailed estates, Erbpachtgueter, iehnbauerngueter, Renten- and Ansiedlungsgueter, shall become ordinary real estate, subject to the general laws.

### Article IV

#### Alienation

1. A conveyance inter vivos of agricultural or forest lands, or the grant of an interest in such land entitling to the usufruct thereof, is void unless approved by the competent German authorities. The above provision is likewise applicable to any contract for the usufruct of, or creating an obligation to transfer title to, such land.

2. If the contract is approved, the approval embraces also the performance corresponding to the contract.

3. In the case of alienation of land by execution of judicial sale the offer to buy needs approval. The provision in Section 71 of the law on Execution Sales (Gesetz ueber die Zwangsversteigerung und die Zwangsverwaltung) of 24 March 1897 (RGBl.p.97) is applicable. In the case of Section 81, subsections (2) and (3) of the law on Execution Sales the land may be declared to be sold to a person other than the bidder only if such other person has produced the requisite approval.

4. In all cases provided for by this Article approval shall be denied if:

- (a) the transaction would endanger the proper management of the land to the detriment of the public food situation; or



- (b) the consideration is greatly in disproportion to the values of the land; or
- (c) the transaction is in contravention of any regulation issued under Article XI hereof by the appropriate Zone Commander.

#### Article V

##### Mortgaging

A mortgage (Hypothek), annuity (Rentenschuld) or other money charge (Grundschild) on agricultural or forest land may be created only with the approval of the competent German authorities.

#### Article VI

##### Leases

Agricultural and forest land may be leased. The contract is valid only if approved by the competent German authorities.

#### Article VII

##### Management

1. The competent German authorities, if in their opinion the management of an agricultural enterprise or agricultural land does not conform, continuously and substantially, to the standards necessary to meet the food requirements of the German people, may take any one of the following measures:

- (a) Request the person entitled to the use of such land to manage it in such a way as to conform to the above standards
- (b) Order that the Management shall be supervised by an overseer
- (c) Order that such land be managed by a trustee;
- (d) Order the person entitled to the use of such land to lease all or any part of it to a competent farmer.

2. If a land which is suitable for agricultural use is not used, the competent German authorities may take any one of the following measures:

- (a) They may request the person entitled to the use of such land to declare whether he is willing to till it or use it otherwise;
- (b) If he does not declare his intention to till the land or to use it otherwise, or if he, contrary to his declaration, fails to till or otherwise use it within a reasonable period, they may order him to lease all or any part of such land to a competent farmer for agricultural use.

3. Any order of the competent German authorities issued pursuant to subparagraphs (b), (c), or (d) of paragraph 1 or subparagraph (b) of paragraph 2 of this Article may, upon the petition of such authorities, be enforced by the Court for the district in which the land is situated. In the case of paragraph 1 (d) and 2 (b) the court may authorize the competent German authorities to lease the land on behalf of the person entitled to the use of the land.

4. In the case of immigrants who have crossed the frontiers of Germany as now constituted, since 8 May 1945, and who are engaged in farming or forestry and in the case of persons who have settled upon the land for those purposes since 8 May 1945, no action under paragraph 1 (b), (c) or (d) or paragraph 2(b) of this Article, shall be taken without the consent of the Zone Commander in each case, for a period of five years, as from 1 January 1946, or from the date of entry into Germany or settlement upon the land, respectively, whichever is the later.

#### Article VIII

##### Review Provisions

1. The exercise by the competent German authorities of all or any of the powers set out in Articles IV, V, VI and paragraphs 1 and 2 of Article VII of this law shall be subject to review on appeal by the Court

2. The decisions of the Court under paragraph 3 of Article VII are subject to review upon appeal (sofortige Beschwerde).

## Article IX

### Definitions

1. In this law the words "The Court" mean such German courts as may be designated from among existing ordinary courts or may be created by the Zone Commanders in accordance with the laws of the Control Council.

2. In this Law the words "competent German authorities" mean such German agricultural authorities as are created or recognized by the Zone Commanders for their respective zones.

## Article X

### Effect on Other Enactments

1. All references to the laws and enactments repealed by paragraphs 1 and 2 of Article I, which may appear in any other legal enactment, as well as all provisions in any laws and enactments which are inconsistent with this law, are deprived of legal effect.

2. In particular, Article 59, 60, 62 and 63 of the Introductory Law to the Civil Code (Einfuehrungsgesetz zum Buergerlichen Gesetzbuch) are deprived of legal effect to the extent to which they are inconsistent with Article III of the present law.

## Article XI

### Rules and Regulations

1. Notwithstanding anything in this law, the Zone Commanders may, in their respective Zones, enact legislation amending or repealing any legislation revived or otherwise put into force by the present law. Zone Commanders are also empowered to issue for their respective Zones, rules and regulations under this law and for the purpose of carrying out its provisions.

2. The powers which may be exercised by the Zone Commander pursuant to this shall be exercised in Berlin by the Allied Kommandatura.

Article XII

1. This law shall take effect two months after the date of its publication.

2. It shall apply to successions which are not settled at the effective date of this law. Judgments which have been rendered and which have already become final (rechtskraeftige Urteile oder Beschluesse), as well as valid agreements previously contracted, shall remain in force. For the purpose of this provision, a succession is deemed to be settled if no adverse claim against one who has taken possession of the land as heir is filed in court within three years of the death of the owner. Paragraphs 233 to 238 of the German Code of Civil Procedure shall be applicable.

Done at Berlin on the 20th day of February 1947.

P. KOENIG  
General d'Armee

V. SOMOLOVSKY  
Marshal of the Soviet Union

Joseph T. McMERNEY  
General

Sir Sholto DOUGLAS  
Marshal of the Royal Air Force

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"The date of publication is 24 February 1947 at 1800 hours"

CCNL/P(47)4 Final  
20 February 1947

CONTROL COUNCILLAW NO.46Abolition of the State of Prussia

The Prussian State which from early days has been a bearer of militarism and reaction in Germany has de facto ceased to exist.

Guided by the interests of preservation of peace and security of peoples and with the desire to assure further reconstruction of the political life of Germany on a democratic basis, the Control Council enacts as follows:-

Article I

The Prussian State together with its central government and all its agencies is abolished.

Article II

Territories which were a part of the Prussian State and which are at present under the supreme authority of the Control Council will receive the status of Laender or will be absorbed into Laender.

The provisions of this Article are subject to such revision and other provisions as may be agreed upon by the Allied Control Authority, or as may be laid down in the future Constitution of Germany.

Article III

The State and administrative functions as well as the assets and liabilities of the former Prussian State will be transferred to appropriate Laender, subject to such agreements as may be necessary and made by the Allied Control Authority.

Article IV

This law becomes effective on the day of its signature.

Done at Berlin on 25 February 1947.

P. KOENIG,  
General d'Armee

V. SOKOLOVSKY,  
Marshal of the Soviet Union

LUCIUS D. CLAY  
for JOSEPH T. McNARNEY,  
General

B. H. ROBERTSON,  
for SHOLTO DDOUGLAS,  
Marshal of the Royal Air Force

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"The date of publication is 1 March 1947 at 1800 hours".

CON1/P(47)10 Final  
25 February 1947



25 February 1947

ASEC(47)154

ALLIED SECRETARIAT

SUBJECT: Report to the Council of Foreign Ministers

TO : Minister of Foreign Affairs of the French Republic  
Minister of Foreign Affairs of the U.S.S.R.  
The Secretary of State of the United States of America  
His Britannic Majesty's Principal Secretary of State  
for Foreign Affairs.

1. The Council of Foreign Ministers requested the Control Council to prepare a Report by 25 February 1947 on the following subjects:

- (a) Work of the Control Council since its creation on the following points: Demilitarization, Denazification, Democratization, Economic Problems, Reparations;
- (b) The establishment of Central Administrations; and other problems connected with the political, economic and financial situation of Germany under quadripartite government;
- (c) liquidation of Prussia.

2. The Control Council has prepared the Report, of which the manner of presentation and the contents are set forth in the attached Table of Contents.

3. In accordance with the instructions of the Control Council, the Report is submitted herewith. \*)

J. M. LOIRET,  
Lieutenant Colonel  
Chief Secretary

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\*) see page 75

25 February 1947

Appendix to  
ASEC(47)154

REPORT TO THE COUNCIL OF FOREIGN  
MINISTERS FROM THE ALLIED CONTROL  
COUNCIL FOR GERMANY

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[CON1/P(47)12]

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/CONL/P(47)16)

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/CONL/P(47)9  
1st Revision/

27 February 1947

CONI/M(47)5

CONTROL COUNCILMINUTES

OF THE

Fifty-fifth Meeting

held in Berlin on 25 February 1947 at 1430 hours

25. COVERING LETTER TO THE REPORT TO THE COUNCIL OF FOREIGN MINISTERS  
FROM THE ALLIED CONTROL COUNCIL FOR GERMANY

The Meeting considered ASEC(47)154.

THE MEETING:

- (25) approved the Covering letter and instructed the Allied Secretariat to forward the entire Report \*) to the Council of Foreign Ministers.

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\*) The Report is too voluminous for publication in this compilation.



COORDINATING COMMITTEEFinal Plan for the liquidation of the Gusstahlfabrik, Essen

(Note by the Allied Secretariat)

1. At its 98th Meeting on 13 January the Coordinating Committee CCRC/M(47)2 Conclusion (18) instructed the Economic Directorate to submit a report on the Final Plan for the liquidation of the Gusstahlfabrik Essen.
2. At its 79th Meeting the Economic Directorate agreed to recommend to the Coordinating Committee that it should:
  - (a) declare the twenty-five units of allocation, laid down in the Final Plan for the liquidation of the Gusstahlfabrik (DECO/P (46)465, Rev.) as available for reparations.
  - (b) instruct the Reparations, Deliveries and Restitution Directorate to value these twenty-five units of allocation immediately.
  - (c) either re-affirm its previous decision, CCRC/M(45)25 Conclusion (339) (c) (iii), or approve publication of these twenty-five units of allocation to the Inter Allied Reparations Agency and to U.S.S.R. for expressions of interest and subsequent allocation.
3. This paper is submitted for the consideration of the Coordinating Committee at its 110th Meeting on 4 March 1947. \*)

J.M. LOIRET, lieutenant ColonelN.D. KOSTENKO, lieutenant ColonelH.A. GERHARDT, ColonelR.G. RAW

Allied Secretariat

\*) see page. 37

CCRC/P(47)61

5 March 1947CORC/M(47)14COORDINATING COMMITTEEMINUTES

of the

One Hundred and Tenth Meeting

held in Berlin on 4 March 1947 at 1430 hours

139. FINAL PLAN FOR THE LIQUIDATION OF THE GUSSTAHLFABRIK ESSEN

The Meeting considered CORC/P(47)61.

THE MEETING:

- (139) (a) agreed to declare available for reparations 25 units of allocation indicated in the final plan for liquidation of the Gusstahlfabrik,
- (b) agreed to instruct the Reparations, Deliveries and Restitution Directorate :
- (i) to value these 25 units of allocation immediately,
- (ii) to publish these twenty-five units of allocation to the Inter-Allied Reparations Agency and to the U.S.S.R. for expressions of interest and subsequent allocation.

COORDINATING COMMITTEEDESPATCH OF BERLIN CHILDREN TO SWITZERLAND

(Note by the Allied Secretariat)

1. The Allied Kommandatura of Berlin has received a request from the Berlin Magistrat for authority to despatch under-nourished children to Switzerland.
2. The Kommandatura has declared itself to be unanimously in favor of the execution of a scheme (Appendix "A") which it presents herewith for the final approval of the Allied Control Authority.
3. The Kommandatura had requested that, should this plan be approved, the Allied Control Authority should contact the Swiss Authorities on the method of its execution. However, by reason of the urgency of this question, the Kommandatura has informed the Allied Secretariat verbally that if an authorization in principle were provided, it would be possible to settle all practical questions direct with the Swiss Red Cross in Berlin, which has undertaken to furnish the necessary means of transport.
4. This paper is submitted for the consideration of the Coordinating Committee at its 110th Meeting, on 4 March 1947. \*)

J.M. LOIRET, Lieutenant Colonel

N.D. KOSTENKO, Lieutenant Colonel

H.A. GERHARDT, Colonel

MRS. E.A. LADELL

Allied Secretariat

CORC/P(47)62

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\*) see page 41

COORDINATING COMMITTEE

SUMMARY OF SCHEME FOR TRANSFERRING BERLIN CHILDREN TO SWITZERLAND

1. Children eligible for the Schema

Those children between the ages 4 to 10 years, whose health is bad. As a matter of principle, the children will be selected from the socially needy class, but the decisive factor in selection will be the state of a child's health. Children who have been invited by relatives or friends in Switzerland will be taken under this scheme only if they satisfy the conditions applicable to all the other children.

2. Medical Regulations

The selection of the children will be made in the first place by the local German health authorities; the final selection will be made by a medical officer appointed by the Swiss Red Cross Children's Aid. The children will be medically examined and disinfected by dusting after crossing the Swiss frontier. Each child will be in possession of a medical certificate.

The Swiss Red Cross visit the various homes

- (i) to satisfy themselves that the children fit into the surroundings and
- (ii) for the purpose of maintaining medical supervision.

The Swiss families are instructed to report regularly to the Swiss Red Cross concerning the health of the child under their care.

3. Duration of Stay

Duration of stay will be for three months, and, except in the case of sickness, all the children must return in the same transport at the end of three months. Children's parents will be advised by the Central Secretariat of the Swiss Red Cross, 14 days before the return journey.

4. Stay in Switzerland

The children will be taken in free of charge by families who have

offered to have them.

The Central Secretariat of the Swiss Red Cross will take the necessary steps to obtain a collective entry permit into Switzerland.

5. Transport (trains etc.) will be provided by the Swiss Red Cross.

6. Schooling Arrangements

The German children attend school together with the children of the family they are living with, unless they are medically unfit.

5 March 1947

CORC/M(47)14

COORDINATING COMMITTEE

MINUTES

of the

One Hundred and Tenth Meeting

held in Berlin on 4 March 1947 at 1430 hours

140. DESPATCH OF BERLIN CHILDREN TO SWITZERLAND

The Meeting considered CORC/P(47)62.

THE MEETING:

- (140) agreed to instruct the Allied Kommandatura to execute the plan outlined in CORC/P(47)62.



CONTROL COUNCILLAW NO. 47TERMINATION OF GERMAN INSURANCE OPERATIONS ABROAD

THE CONTROL COUNCIL ENACTS AS FOLLOWS:

Article I

German insurance and re-insurance companies of all types shall confine their activities exclusively to German territory. Except as provided in Article III, they shall not accept insurance or re-insurance of risks located outside Germany.

Article II

1. German insurance and re-insurance companies shall not maintain any head offices, agencies, or branch offices outside Germany. They shall not directly or indirectly have any interest in any insurance and re-insurance operations outside Germany.

2. All existing insurance and re-insurance head offices, agencies, and branch offices and also all interests in insurance and re-insurance operations outside Germany shall be liquidated and the property shall be disposed of in accordance with the general provisions for the disposition of German external assets.

ARTICLE III

Notwithstanding the provisions of Article I and II, policies which have been or may hereafter be issued by German insurance and re-insurance companies to cover risks located inside Germany may be maintained although the insured risk ceases to be located within Germany in the following cases:

(a) life insurance policies may remain in force provided the premiums thereon are paid in Germany and in German currency and that all payments under such policies shall be made only in Germany and in German currency.

(b) All other policies, including policies to cover coastal vessels outside territorial waters, sales of merchandise c.i.f. at a German port,

and rolling stock and barges en route outside German territory, may remain in force so long as the risk remain German, but not longer than three months from the date when the insured risk left Germany provided that the payment of premiums or any other payment under these policies shall be made only in Germany and in German currency.

#### ARTICLE IV

1. The responsibility and obligations of the German insurance and re-insurance companies in respect of insurance or re-insurance operations contracted before the effective date of this law shall remain in force until such time as these liabilities are discharged or have duly lapsed.

2. German external assets, subject to Control Council law No. 5 shall not be used to meet obligations accruing under this Article unless such use shall have been specifically approved by the German External Property Commission pursuant to directions of the Control Council.

#### Article V

The provisions of Articles I and II will take effect as from 8 May 1945, unless the Control Council directs otherwise in any specific case.

#### Article VI

The Insurance Committee of the Finance Directorate shall implement the provisions of the law and for this purpose may utilize such German agencies as may be necessary.

#### Article VII

This law shall come into effect on the date of its signature.

Done at Berlin, 10 March 1947

P.K. KUROCHKIN  
Colonel-General  
for V. SOKOLOVSKY  
Marshal of the Soviet Union

JOSEPH T. McNARNEY  
General

SHO LEO DOUGLAS  
Marshal of the Royal Air Force

P. KOENIG  
General d'Armee

"The date of publication is 15 March 1947 at 1800 hours".

CONF/P(47)18 Final  
10 March 1947

CONTROL COUNCILLAW NO. 48

THE CONTROL COUNCIL ENACTS AS FOLLOWS:

ARTICLE I

1. All pre-occupation postage stamps in post offices, establishments participating in the sale of stamps for account of the German postal department, or any other governmental agencies, shall be surrendered to post offices not lower in classification than "Poststellen I", within ten days of the day on which this law shall come into force.

2. Such stamps shall be assembled and destroyed by the German postal authorities under the direction and supervision of the Military Government postal authorities in each Zone, or in Berlin, in each Sector of Occupation, within five days of the expiry of the period prescribed for surrender.

ARTICLE II

1. The German postal authorities in each Zone, or in Berlin, each Sector of Occupation, shall keep a detailed record, the accuracy of which they shall certify, of the pre-occupation postage stamps destroyed according to the provisions of Article I of this law.

2. Such authorities shall, within one month of the day on which this law shall come into force, present to the appropriate Military Government authority, or, in Berlin, the Allied Kommandatura, for transmission to the Allied Communications and Posts Committee, a report of the destruction carried out under the provisions of Article I of this law.

ARTICLE III

1. All pre-occupation postage stamps in the Berlin Staatsdruckerei, or any other establishment participating in the printing of such stamps, shall be destroyed within two weeks of the date on which this law shall come into force, under the direction and supervision of a representative of the Allied Control Authority.

2. The heads of such establishments shall keep a detailed record, the accuracy of which they will certify, of the pre-occupation postage stamps thus destroyed. They shall, within one month of the day on which

this law shall come into force, transmit to the Allied Communications and Posts Committee a report of the destruction carried out under the provisions of this Article.

#### ARTICLE IV

1. All printing plates, moulds, and negatives of pre-occupation postage stamps shall be destroyed or rendered unusable within two weeks of the date on which this law shall come into force, under the direction and supervision of a representative of the Allied Control Authority. This same rule shall apply to all dandy rolls used in the manufacture of stamp paper containing swastika water marks or any other Nazi symbols or designs.

2. The representatives of the Allied Control Authority shall, within one month of the day on which this law shall come into force, transmit to the Allied Communications and Posts Committee a report of the destruction carried out under the provisions of this Article.

#### ARTICLE V

The sale, purchase, exchange, or display of pre-occupation postage stamps are prohibited.

#### ARTICLE VI

1. Within the meaning of this law, the term "pre-occupation postage stamps", means postage stamps, service stamps, embossed envelopes, post-cards, whether used or unused, which were issued or manufactured during the Nazi Regime for use in Germany or any country or territory under German occupation, excluding those appearing on documents which were issued prior to the enactment of this law, or are filed in official records.

2. The stamps of the Weimar Republic, irrespective of the date of their issue, are not considered as pre-occupation postage stamps, within the meaning of this law, provided that such stamps have not been printed on paper which contains swastika watermarks or other Nazi symbols or designs.

#### ARTICLE VII

Any person violating or attempting to violate any of the provisions of this law shall be prosecuted before Military Government or



German Courts and shall be punished with imprisonment not exceeding 5 years or with a fine not exceeding RM 500,000, or with both.

ARTICLE VIII

This Law shall come into force on 10 April 1947.

Done at Berlin on the 10th day of March 1947.

P.A. KUROCHKIN,  
Colonel General  
for V. SOKOLOVSKY,  
Marshal of the Soviet Union

Joseph T. MCNARNEY,  
General

Sir Sholto DOUGLAS,  
Marshal of the Royal Air Force

P. KOENIG,  
General d'Armee

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"The date of publication is 10 April 1947 at 1800 hours".

CCM/P(47)19 (Final)  
10 March 1947

COORDINATING COMMITTEEAllocation of General Purpose Equipment in War Plants Available  
for Reparations

(Note by the Allied Secretariat)

1. The Economic Directorate at its 79th Meeting on 24 January considered lists of war plants in the U.S. and French Zones from which general purpose equipment was available for immediate allocation and agreed:

a. To allocate between the Inter-Allied Reparations Agency and the U.S.S.R. the general purpose equipment from the war plants listed in Appendix "A".

b. To transmit Appendix "A" to the Coordinating Committee and to the Reparations, Deliveries and Restitutions Directorate, pointing out to the Coordinating Committee that plants numbers 205 to 213 inclusive had never been specifically approved by the Coordinating Committee as available for reparations, but that a list including these plants had been submitted to the Coordinating Committee for information, and that this list had been noted by them (CCRC/M(46)65, Conclusion (723)).

c. To request the Coordinating Committee to advise the Economic Directorate whether the instructions contained in CCRC/M(46)56, Conclusion (604)(c) authorized the Economic Directorate to declare general purpose equipment available for reparations and subsequent allocation from war plants which had not previously been approved by the Coordinating Committee, or whether such plants must first be approved by the Coordinating Committee as available for reparations before the general purpose equipment from these plants can be allocated by the Economic Directorate.

d. That the Inter-Allied Reparations Agency, not having had an opportunity to make bids for the general purpose equipment allocated, should have the right to reject within a reasonable time any of these units of allocation (see (a) above) in which it was not interested.

e. Agreed to take note of the reservation expressed by the Soviet member that as in this case the established procedure was being changed, the same rights should be extended to the Soviet Union in the future, and of the comments on this reservation by the other members of the Directorate (Appendix B)



2. The 24 plants in the U.S. Zone have been valued at 12,806,290 RM; of these 21 plants, valued at 9,952,342 RM, have been allocated to the nations represented by the Inter-Allied Reparations Agency, and 3 plants, valued at 2,853,948 RM have been allocated to the Soviet Union and Poland. The six plants in the French Zone, valued at 261,382 RM, were all allocated to the nations represented by the Inter-Allied Reparations Agency.

3. The total value of general purpose equipment intended for allocation amounts to 13,067,672 RM; of this total, equipment to the value of 10,213,724 or 78.16% of the total sum, was allocated to the nations represented by the Inter-Allied Reparations Agency, and equipment to the value of 2,853,948 RM, or 21.84% of the total sum, was allocated to the Soviet Union and Poland.

4. This allocation of general purpose equipment, which was made in accordance with the instructions issued in CORC/M(46)56, Conclusion (604)(c), is the second such allocation. The first was made at the 70th Meeting of the Economic Directorate, held on 12 November 1946. At that time, general purpose equipment from 70 war plants, of a total value of 58,164,677 RM was allocated as follows: 75.02% (to the sum of 43,643,040 RM) to the nations represented by IARA, and 24.98% (to the sum of 14,521,637 RM) to the Soviet Union and Poland.

5. General purpose equipment from plants 205-213 inclusive, in the U.S. Zone, were approved for evaluation at the 71st Meeting of the Economic Directorate on 23 November 1946.

6. This paper is submitted to the Coordinating Committee for consideration at its 112th Meeting on 13 March 1947. \*)

N. D. KOSTENKO, Lt. Col.

H. A. GERHARDT, Col.

E. A. LADELL

J. M. LOIRET, Lt. Col.

Allied Secretariat  
CORC/P(47)68

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\*) see page 52

GENERAL PURPOSE EQUIPMENT FROM WAR PLANTS ALLOCATED TO IAPA AND USSR (DECC/N(47)3 para 36 Appendix A to COPEC/E(47)68

1. U.S. ZONE

ALLOCATED TO IAPA

ALLOCATED TO USSR

No.	Plant	Location	No. of Items	Residual Value	No. of Items	Location	No. of Items	Residual Value
34	Fabrik München	Munich	1,439	2,026,965	44	Dynamit AG	2,915	2,516,697
43	Dynamit AG	Munich	1,261	879,069	207	Fieseler Werke	63	139,174
64	Dornier Werke	Landesberg	69	71,823	210	Fieseler	100	198,117
80	Messerschmitt A.G.	Augsburg	1,701	3,044,804				
82	Messerschmitt A.G.	Regensburg	556	606,920				
83	Messerschmitt GmbH	Sinzburg	91	180,756				
87	Messerschmitt GmbH	Badenwohr	3	4,285				
89	Messerschmitt GmbH	Freilind	40	119,784				
90	Messerschmitt GmbH	Frontenhausen	34	173,502				
91	Messerschmitt GmbH	Isenhardt	25	55,375				
94	Messerschmitt GmbH	Neustadt	92	186,986				
95	Messerschmitt GmbH	Flossenbürg	62	81,850				
96	Messerschmitt GmbH	Oberrhein	22	63,686				
124	Focke-Wulf Flugzeugbau Bremen	Oberrhein	259	1,041,324				
205	Fieseler Werke	Kassel	11	43,643				
206	Fieseler Werke	Frankenburg	41	38,716				
208	Fieseler Werke	Lohfelden	72	325,000				
209	Fieseler Werke	Münchhof	40	78,269				
211	Junkers Werke	Veckerhagen	127	452,345				
212	Messerschmitt	Oberammergau	178	438,323				
213	Messerschmitt	Straubing	44	73,767				

Total in the U.S. Zone

RM 9,952, 2

Total in the U.S. Zone

RM 2,353,948

Percentage allocated to IAPA: 77.7%

" " " USSR: 22.3%

ALLOCATED TO IARA

## 2. French Zone

<u>No.</u>	<u>Plant</u>	<u>Location</u>	<u>No. of Items.</u>	<u>Residual Value.</u>
2018	Haussler	Constance	135	92,952
2022	Diana Werke	Rastatt	189	74,413
2023	Hansawerke	Cacul- Genselfingen	33	39,821
2035	Dornier	Meersburg	2	5,835
2036	Dornier	Ruersdorf	15	44,517
2037	Dornier	Wasserburg	9	3,844
Total in French Zone			RM	<u>261,382</u>
Percentage allocated to IARA:				100%

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Total value of equipment from US and French Zones allocated to IARA:  
10,213,724

Total value of equipment from US and French Zones allocated to USSR:  
2,853,948  
13,067,672

Total percentage allocated to IARA: 78.16

" " " " USSR: 21.84

Appendix B to  
CORC/P(47)68

The British member stated that I.A.R.A. might not wish to take all the remaining plants, and as the U.S.S.R. did not wish to take 25% he suggested that if the remaining plants were allocated to I.A.R.A. the latter should have the opportunity to refuse any plant that they did not wish to take. This was only fair as they had not had an opportunity to bid.

The French member stated that he would agree to the Soviet proposal, provided that I.A.R.A. should be permitted to refuse any units of allocation in which they were not interested, but at the same time he wished to draw attention to the favorable situation in which the Soviet delegation was placed by being allowed to choose without bids having been received from I.A.R.A.

The Soviet member stated in reply that if I.A.R.A. was given the right to refuse units of allocation, he must reserve the same right of refusal for the Soviet delegation in the future.

The British member pointed out that the Soviet delegation always had the right of refusal as no allocation could be made without the agreement of the Soviet member, and that the right of refusal should be given to I.A.R.A. only in connection with plants such as those at present under consideration when they had had no opportunity to make bids.

The French member stated that in his opinion, if the Soviet member reserved the right of refusal, he should renounce the right of choice, thus re-establishing equality between I.A.R.A. and U.S.S.R.

CORC/M(47)16

COORDINATING COMMITTEEMINUTES

of the

One Hundred Twelfth Meeting

held in Berlin on 13 March 1947 at 1430 hours

154. ALLOCATION OF GENERAL PURPOSE EQUIPMENT IN WAR PLANTS AVAILABLE FOR REPARATIONS

The Meeting considered CORC/P(47)68.

THE MEETING:

(154) agreed

- (a) to approve plants Nos. 205-213 (inclusive) as available for reparations;
- (b) to confirm the allocation of general purpose equipment from war plants between the Inter-Allied Reparations Agency and the U.S.S.R., in accordance with Appendix "A" of CORC/P(47)68;
- (c) to instruct the Economic Directorate to adhere strictly to existing procedure; i.e., that the Coordinating Committee should first approve plants as available for reparations, then the Reparations, Deliveries, and Restitution Directorate must carry out the valuation, and only after that should the Economic Directorate allocate the equipment from these plants.

COORDINATING COMMITTEE

List of War Plants Available for Reparations in the French Zone  
(General Purpose Equipment)

(Note by the Allied Secretariat)

1. The Coordinating Committee at its 85th Meeting on 24 October 1946 agreed (CORC/M(46)56, Conclusion (604)(c)) "to instruct the Economic Directorate to proceed immediately with bulk allocation to the U.S.S.R. and I.A.R.A. of the general purpose equipment in war plants which were to be destroyed."

2. In accordance with the above decision, the Economic Directorate at its 78th Meeting on 17 January 1947 agreed to forward the list of war plants in the French Zone (Appendix "A") to the Coordinating Committee for its approval as available for reparations and for notification to the Reparations, Deliveries and Institutions Directorate for information and valuation and further transmission to the Economic Directorate for allocation.

3. This paper is submitted to the Coordinating Committee for consideration at its 112th Meeting on 13 March 1947. \*)

N. D. KOSTERAC, lieut. Colonel

H. A. GERHARDT, Colonel

E. A. LADELL

J. M. LOIRET, lieut. Colonel

Allied Secretariat  
CORC/P(47)69

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\*) see page 55



10 March 1947

Appendix "A"  
COCR/P(47)69

APPLIANCES PLANTS AVAILABLE FOR REPAIRS IN THE FRENCH ZONE

Rep. Serial Nos.	Name	Description	Zone Location	Evaluation if Available	Unit of Allocation i.e. of Priority whole plant individual item of equip.	Bids with Recommended Allocation Eastern and Western Zones)
2029*	Kopperschmidt	Surface plant Construction of plexiglass parts for airplanes	Blumberg			
2075	I.G. Farben	Explosives plant	Rottweil			
2077	Dornier	Airplane parts	Langenargen			
2078	Oscar Fischer	Pyrotechnics	Marksdorf			

\* The underground part of this plant is already listed in Consolidated List No. 2

14 March 1947

CCRC/H(47)16

COORDINATING COMMITTEEMINUTES

of the

One Hundred Twelfth Meeting

held in Berlin on 13 March 1947 at 1430 hours.

155. LIST OF WAR PLANTS AVAILABLE FOR REPARATIONS IN THE FRENCH ZONE  
(GENERAL PURPOSE EQUIPMENT)

The Meeting considered CCRC/P(47)69.

THE MEETING:

(155) agreed

- (a) to approve plants shown in Appendix "A" to CCRC/P(47)69 as available for reparations;
- (b) to instruct the Reparations, Deliveries, and Restitution Directorate to proceed immediately to the valuation of these plants;
- (c) to instruct the Economic Directorate to make the allocation of equipment from these plants.

COORDINATING COMMITTEECHANGE OF TIME

(Note by the Allied Secretariat)

1. The Internal Affairs and Communications Directorate, on the recommendation of the European Central Inland Transport Organization (E.C.I.T.O.), proposed the following changes of time for 1947:

- (a) On 20 April at 0300 hours Zone "A" Time for the change from winter to summer time.
- (b) On 5 October at 0300 hours Zone "A" Time for the change from summer to winter time.

2. The Internal Affairs and Communications Directorate requests the Coordinating Committee to confirm the above changes of time and approve in principle that future time changes in Germany be made in accordance with the formulae of E.C.I.T.O.

3. This paper is submitted to the Coordinating Committee for consideration at its Hundred and Thirteenth Meeting on 18 March 1947. \*)

N. D. KOSTENKO, Lieutenant Colonel

H. A. GERHARDT, Colonel

E. A. WDELL

J. M. LOIRET, Lieutenant Colonel

Allied Secretariat  
CIRC/P(47)14

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\*) see page 57

19 March 1947

CORG/M(47)17

COORDINATING COMMITTEEMINUTES

of the

ONE HUNDRED AND THIRTEENTH MEETING

held in Berlin on 18 March 1947 at 1430 hours

166. CHANGE OF TIME

The Meeting considered CORG/P(47)74.

THE MEETING:

(166) agreed

- (a) to set the changeover date from winter to summer time at 6 April 1947 at 0300 hours Zone "A" time,
- (b) to consider in August 1947 the question of changing to winter time.